IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

WP(C).No. 4926 of 2007(J)

PETITIONER:

G.RATNAKUMARY AMMA, W/O. K.SASIDHARAN NAIR, SREEKANTA VILASOM, VALIYAVILA, THIRUMALA P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.A.RAJASEKHARAN NAIR

RESPONDENTS:

THE BRANCH MANAGER, STATE BANK OF TRAVANCORE, FORT BRANCH, THIRUVANANTHAPURAM.

BY ADV. SRI.M.PATHROSE MATTHAI (SR.)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/02/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 4926/2007 J

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. COPY OF THE FIR NO. 277/05 OF THE VILAPPILSALA POLICE STATION.

EXT.P2. COPY OF THE PENSION PAYMENT ORDER PPO NO. 588 OF THE HUSBAND OF THE PETITIONER.

EXT.P3. COPY OF THE CERTIFICATE ISSUED BY THE RESPONDENT BANK REGARDING BELANCE OUTSTANDING.

EXT.P4. COPY OF THE REPRESENTATION SUBMITTED TO THE RESPONDENT DT. 2/12/2006.

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K.BALAKRISHNAN NAIR,J.

WP(C)NO.4926 OF 2007-J

Judgment

The petitioner's husband Sri.K.Sasidharan Nair pledged some gold ornaments with the respondent Bank and availed three gold loans. The total amount under those loans received by him is Rs.47,200/-. He is missing for the last two years. The petitioner wants to pay the amount and redeem the gold. She is willing to pay the entire amount due to the Bank. Since the bank did not agree to release the gold, on paying the amount due to it, this Writ Petition is filed, seeking appropriate reliefs. The learned Standing Counsel upon instruction, submitted that the petitioner's husband is missing only for the last two years and so, the gold ornaments could be released to his wife, only on furnishing security and also executing an indemnity bond. The petitioner is ready to comply with the above conditions for getting the gold released. Accordingly, the Writ Petition is disposed of directing the respondent to inform the petitioner the formalities she has to comply with for getting the gold released, within two weeks from the date of receipt of a copy of this Judgment. Upon complying with those formalities, the gold ornaments pledged by her husband shall be released to her.

The Writ Petition is disposed of as above.

20.02.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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